

REMARKS

The Examiner has objected to claim 1 because the reference to abrasion and injury locations does not describe pad and pocket locations but only the types of injuries and should not be included in the body location list. The applicant desires to claim pocket and pad locations as covering those areas so that he has cancelled claim 1 and has added claim 3. He has positively claimed the pocket and pad locations as covering those areas on the body location list in claim 3.

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Sessoms (US 5,388,271) in view of Ross (US 5,134,726) and McGee (US 4,089,065). The Examiner contends that Sessoms teaches an upper torso shirt garment with arm portions and a plurality of protective pads. Sessoms does not disclose a lower torso padded garment portion and that Ross teaches a padded pair of spandex undergarment pants with a plurality of internal pockets and protective pads for insertion within the pockets therein. Sessoms and Ross do not specifically teach the pant garments to cover the entire body of the wearer as being integral. McGee teaches constructing an integral padded protective garment to protect the entire body of a wearer from athletic activities and falls or to wear the garments as separate shirts jackets or pants as desired. The Examiner

contends that it would have been obvious to one having ordinary skill in the art at the time the invention to modify the garments of Sessoms and Ross and to construct them in an integral jumpsuit form as taught by McGee since it is well known to construct garment components into one integral garment for ease in donning and doffing the garment and so that the garment is secured onto the wearer during sports activities. McGee is only relied up for the one piece garment construction and not the material specifics of the garment.

The applicant has cancelled claim 1 and has added new claim 3. Claim 3 positively claims placement of the pads and pocket locations and does not claim injury locations.

The applicant believes that he has overcome the objections and rejections by the Examiner and requests that his application be allowed.

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Respectfully submitted


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